

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BYRON SMITH,

Plaintiff,

- against -

ART REPORT LLC

Defendant.

Docket No. 1:18-CV-11019-LAP

~~PROPOSED~~ DEFAULT JUDGMENT

WHEREAS, this matter came before the Court on plaintiff Byron Smith (“Smith”)’s motion for entry of a default judgment against defendant Art Report LLC LLC (“Defendant”) under Rule 55(b)(2) of the Federal Rules of Civil Procedure and Local Rule 55.2;

WHEREAS, Plaintiff filed his application for entry of default judgment seeking \$1,100.00 in actual damages under 17 U.S.C. § 504(b); \$5,000.00 in statutory damages under 17 U.S.C. § 1202(c)(3)(B); \$455.00 in attorneys’ fees and \$440.00 costs under 17 U.S.C. § 1203(b)(5); and for such further relief as this Court deems just and proper.

WHEREAS, Defendant has not filed any opposition to Plaintiff’s application for default judgment. The Court scheduled a hearing for Plaintiff’s application on May 20, 2021 at 9:00 a.m. and Defendant failed to appear.

THEREFORE, IT IS ADJUDGED AND ORDERED that Plaintiff’s Application for Entry of Default Judgment is GRANTED pursuant to Fed.R.Civ.P. 55(b)(2); it is

FURTHER ORDERED that the Court declares that Defendant violated Plaintiff's exclusive rights under 17 U.S.C. § 106 of the Copyright Act by engaging in unauthorized copying of Plaintiff's registered work; it is

FURTHER ORDERED that Defendant shall pay \$1,100.00 in actual damages under 17 U.S.C. § 504(b); it is

FURTHER ORDERED that Defendant shall pay \$5,000.00 in statutory damages under 17 U.S.C. § 1203(c)(3)(B); it is

FURTHER ORDERED that Defendant shall pay \$455.00 in attorneys' fees and \$440.00 in costs pursuant to 17 U.S.C. § 505; it is

FURTHER ORDERED, that Defendant shall post-judgment interest under 28 U.S.C.A. § 1961; it is

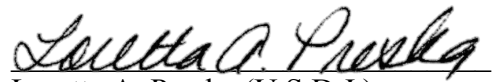
FURTHER ORDERED that this Court retains jurisdiction over any matter pertaining to this judgment; and it is

FURTHER ORDERED that this case is dismissed and the Clerk of the Court shall remove it from the docket of the Court.

This is a final appealable order. *See* FED. R. APP. P. 4(a).

Dated: August 23, 2022

SO ORDERED.


Loretta A. Preska (U.S.D.J.)